

# Exhibit A

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

In re:  
THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,  
as representative of  
THE COMMONWEALTH OF PUERTO RICO, et al.  
Debtor,

---

In re:  
THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO  
as representative of  
THE EMPLOYEES RETIREMENT SYSTEM OF  
THE GOVERNMENT OF THE  
COMMONWEALTH OF PUERTO RICO,  
Debtor.

Two Vesey Street  
New York, New York  
June 4, 2019 - 9:36 A.M.

EXAMINATION BEFORE TRIAL of LUIS COLLAZO  
RODRIGUEZ, the Witness herein, taken by the  
attorneys for the respective parties, pursuant to  
Notice, held at the above-stated time and place,  
before Melissa Leonetti, RPR, a Notary Public of the  
State of New York.

120

1 L. COLLAZO

2 Do you see this is a letter to you from  
3 the executive director of AAFAF?

4 A. Yes.

5 Q. And he directs you in the second  
6 paragraph to sell ERS' assets, correct?

7 A. To liquidate immediately all the liquid  
8 investments from the retirement system.

9 Q. Okay. Did ERS do that in and around July  
10 2017?

11 A. We liquidated our liquid investments.

12 Q. How much was the proceeds from that  
13 liquidation?

14 A. Approximately 296 million.

15 Q. You'll see in the second to the last  
16 paragraph the director of AAFAF instructs you to  
17 transfer at least 190,480,000 of the proceeds from  
18 the sale of the investment and to transfer that to  
19 the treasury.

20 Do you see that?

21 A. Yes.

22 Q. And did ERS do that?

23 A. Yes.

24 Q. Okay.

25 A. We transferred the quantity that's



Nationwide Court Reporting & Trial Support

855-204-8184 • www.advanceddepositions.com

1 L. COLLAZO

2 | requested in the letter.

3 Q. The remaining 150 or so million dollars  
4 from the sale of the proceeds, what happened to  
5 that?

6           A.     Yes. When I mentioned the assets that  
7     the system had before, I mentioned the quantity 109  
8     million. That quantity we have inside of a  
9     restricted account because we liquidated it, yes.  
10    It's inside that account, that amount. That was --  
11    that amount was not transferred to the Department of  
12    the Treasury.

13 Q. Why was that amount not transferred to  
14 the Department of Treasury?

15 MR. POCHA: Objection.

16 Exclude any privileged information.

17 You can answer if you can.

18           A.     Well, certainly I received a letter to  
19 send a first amount. I haven't received any other  
20 instructions from my physical agent, which is AAFAF,  
21 which would be to remit the remaining amount. And  
22 it's important to mention that Resolution 188 also  
23 doesn't set a set amount of time, a determined  
24 amount of time to be able to transfer that. Right?  
25 It's like we're waiting for instructions. Right?

122

1 L. COLLAZO

2 Q. Is that money in an interest-bearing bank  
3 account?

4 A. It's generating interest, yes.

5 (Whereupon, a letter was marked as  
6 Exhibit 41 for identification, as of this  
7 date.)

8 Q. I'm going to hand you what I'm marking as  
9 Exhibit 41. This one should be quick. Is this a  
10 letter from you to an individual at Banco Popular  
11 instructing him to transfer 190,480,000 from ERS to  
12 the Department of Treasury?

13 A. Yes.

14 Q. And you transferred that 190,480,000  
15 pursuant to this letter?

16 A. What letter? This one?

17 MR. PAPEZ: Let me withdraw that  
18 question.

19 Q. As far as you know, did Mr. Garcia Alvira  
20 transfer the 190,480,000 you requested to the  
21 Department of Treasury?

22 A. To the best of my knowledge, the quantity  
23 was transferred.

24 Q. I'm handing you what was marked as  
25 Exhibit 18.

